

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

PATRICIA P., ¹ <i>Plaintiff,</i>)	
)	
v.)	Civil No. 3:23-cv-527-HEH-SLS
)	
MARTIN O'MALLEY, Commissioner of the Social Security Administration, ² <i>Defendant.</i>)	
)	
)	
)	

FINAL ORDER
(Adopting Report and Recommendation of the Magistrate Judge)

This matter comes before the Court on the Report and Recommendation of the Magistrate Judge entered on August 2, 2024 (ECF No. 16). The time to file objections has expired, and neither party has objected to the Report and Recommendation. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:

- (1) The Report and Recommendation (ECF No. 16) is ACCEPTED and ADOPTED as the OPINION of the Court.
- (2) Plaintiff's Motion for Summary Judgment (ECF No. 11) is GRANTED IN PART to the extent it seeks remand for further evaluation of Plaintiff's subjective complaints and DENIED IN PART as MOOT to the extent it raises other assignments of error on which the Court takes no position at this time.
- (3) Defendant's Motion for Summary Judgment (ECF No. 15) is DENIED.
- (4) The decision of the Commissioner is REVERSED, and the case is REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings consistent with the Report and Recommendation as adopted by this Court.
- (5) The Clerk is DIRECTED to CLOSE this case.

¹ The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that federal courts refer to claimants by their first names and last initials in social security cases.

² Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, he has been substituted for Acting Commissioner Kilolo Kijakazi as Defendant in this action. 42 U.S.C. § 405(g).

Let the Clerk of the Court send a copy of this Final Order to all counsel of record.

It is so ORDERED.



Henry E. Hudson
Senior United States District Judge

Date: August 21, 2024
Richmond, Virginia